

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RANDOLPH ROBINSON,

Plaintiff,

-against-

DELTA BALANETRE, Superintendent; RONDA MURRAY, Nurse Administrator,

Defendants.

ORDER

21-CV-02071 (PMH)

PHILIP M. HALPERN, United States District Judge:

On April 20, 2022, the Court issued a Memorandum Opinion and Order (the “Order”) which granted Defendants’ motion to dismiss without prejudice. (Doc. 22). The Order permitted Plaintiff to file an amended complaint by May 20, 2022 to address the pleading deficiencies identified therein and specified that failure to file an amended complaint by May 20, 2022 would result in dismissal of the complaint without further notice. (*Id.* at 12). Plaintiff, to date, has not filed an amended complaint. Accordingly, the complaint, filed *in forma pauperis* (IFP) under 28 U.S.C. § 1915(a)(1), is dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is respectfully requested to mail a copy of this order to Plaintiff and to close this case.

SO ORDERED:

Dated: White Plains, New York
May 27, 2022


Philip M. Halpern
United States District Judge